

REMARKS

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

In the pending Final Office Action, the Examiner rejected Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

In the pending Office Action, the Examiner rejected claims 1-3 and 12, under 35 U.S.C. §102(e), as allegedly being anticipated by Bullock '426 (U.S. Pub. No. 2003/0082426); and rejected claim 4, under 35 U.S.C. §103(a), as allegedly being unpatentable over Bullock '426 in view of Ozeki '876 (U.S. Pub. No. 2004/0170876).

Applicants remind the Examiner that the returned copy of the IDS filed on August 10, 2004, contains references which have been crossed out, without any explanation. Applicants, once again, request an immediate explanation as to why the Examiner has crossed out cited references.

By this Amendment, independent claims 1 and 12 have been amended to provide a clearer presentation of the claimed subject matter. No new matter has been added. Accordingly, claims 1, 3-4, and 12 are currently presented for examination of which claims 1 and 12 are independent.

Applicants respectfully traverse the rejections noted above for the following reasons:

I. Rejections Under §102(e) & §103(a).

As indicated above, independent claim 1 positively recites, *inter alia*, a fuel cell, an LED which is powered by the fuel cell, a sensing unit configured to sense an abnormal state of the fuel cell, a connection detecting unit configured to detect a presence or absence of a connection with an electronic apparatus operable using electric power supplied from the fuel cell, and a *display control unit configured to notify a user of the abnormal state, by using the LED which is*

powered by the fuel cell, when the sensing unit has sensed the abnormal state and the connection detection unit has detected a connection with the electronic apparatus.

As noted in previous amendments, these features are amply supported by the embodiments disclosed in the written description. That is, the disclosed embodiments provide that the fuel cell unit **2** *itself* is provided LEDs **27a**, **27b** for notifying the user of the present operating state. (See, e.g., Specification: page 4, lines 15- page 5, line 1; FIG. 1; *see also*, Amendment to Specification). The LEDs **27a**, **27b** of the fuel cell unit **2** display the operating state of the fuel cell unit **2**, *independent of the electronic apparatus 1*. (See, e.g., Specification: page 12, lines 3-5). Indeed, the LEDs **27a**, **27b** of the fuel cell unit **2** are configured to display a host of abnormal states, including whether there exists *a connection with the electronic apparatus 1*. (See, e.g., Specification: page 12, line 6 – page 14, line 10; FIGs. 5-6).

With such operational control, LED notification is not given, even when the fuel cell unit inclines by more than a predetermined angle, such as, for example, when the fuel cell unit is separately carried. In other words, only when a connection with an electronic apparatus body is detected by use of an LED which is installed in a fuel cell unit and is operable by a power from a fuel cell in the fuel cell unit, is a notification provided to the user.

Applicants submit that none of the asserted reference teach or suggest each and every element of claim 1, including the features identified above. In particular, Bullock '426 discloses that when a PDA is not connected to an electronic device, no power is supplied to the PDA from a fuel cell, and as a result, the display of the PDA will be blank (in the absence of a connection with the electronic device).

With this said, Bullock '426 clearly fails to disclose a *display control unit configured to notify a user of the abnormal state, by using the LED which is powered by the fuel cell, when the sensing unit has sensed the abnormal state and the connection detection unit has detected a connection with the electronic apparatus*, as required by claim 1. That is, Bullock '426 does not intentionally provide LED notification in the absence of connection with the electronic apparatus body.

Applicants submit that the remaining applied reference, Ozeki '876, fails to cure the deficiencies of Bullock '426 noted above and fails in its own right of teaching each and every element of claim 1. Thus, for at least these reasons, Applicants submit none of the asserted references, whether taken alone or in combination, teach or suggest each and every element of claim 1. As such, claim 1 is neither anticipated nor rendered obvious by the applied references and is, therefore, clearly patentable. Moreover, because claims 3-4 depend from claim 1, claims 3-4 are patentable at least by virtue of dependency as well as for their additional recitations.

Finally, because independent claim 12 recites patentable features that are similar to claim 1, claim 12 is patentable for at least the reasons presented relative to claim 1. Accordingly, the reconsideration and immediate withdrawal of the rejections of claims 1, 3-4, and 12 is respectfully requested.

II. Conclusion.

All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 03-3975.

The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully Submitted,

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